

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JAMES SWEENEY,

Plaintiff,

v.

SCRANTON HOUSING, *et al.*,

Defendants.

CIVIL ACTION NO. 3:CV-13-0721

(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

**ORDER**

**NOW**, this 23<sup>rd</sup> day of April, 2013, upon review of the Report and Recommendation of Magistrate Judge Martin C. Carlson (Doc. 3) for plain error or manifest injustice,<sup>1</sup> **IT IS HEREBY ORDERED** that:

- (1) The Report & Recommendation (Doc. 3) is **ADOPTED**.
- (2) The Complaint (Doc. 1) is **DISMISSED with prejudice**.
- (3) The Clerk of Court is directed to mark the case as **CLOSED**.



A. Richard Caputo  
United States District Judge

---

<sup>1</sup> Where objections to the Magistrate Judge's report are filed, the court must conduct a *de novo* review of the contested portions of the report. *Sample v. Diecks*, 885 F.2d 1099, 1106 n. 3 (3d Cir. 1989) (citing 28 U.S.C. § 636(b)(1)(c)). However, this only applies to the extent that a party's objections are both timely and specific. *Goney v. Clark*, 749 F.2d 5, 6-7 (3d Cir. 1984). While Plaintiff filed a "response" to the Report and Recommendation (Doc. 4), Plaintiff's filing fails to address or contest any portion of the Report and Recommendation. Instead, it sets forth similar allegations to those found by Magistrate Judge Carlson to be insufficient to state a claim upon which relief can be granted. Accordingly, the Report and Recommendation has been reviewed for clear error or manifest injustice. *See, e.g., Cruz v. Chater*, 990 F. Supp. 375, 376-77 (M.D. Pa. 1998).